

LEE LITIGATION GROUP, PLLC

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**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

EDGAR ITURBIDE, on behalf of himself and others
similarly situated,

Plaintiff,

v.

CHO FAMILY DYNASTIA, INC. d/b/a FLOR DE
MAYO, FLOR DE MAR, INC. d/b/a FLOR DE
MAYO, MARVIN CHU, DENNIS CHU and
NELSON CHO,

Defendants.

No. 17 CV 0596

**NOTICE OF PLAINTIFF'S MOTION FOR PRELIMINARY APPROVAL OF CLASS
ACTION SETTLEMENT, CONDITIONAL CERTIFICATION OF THE SETTLEMENT
CLASS, APPOINTMENT OF PLAINTIFF'S COUNSEL AS CLASS COUNSEL, AND
APPROVAL OF PLAINTIFF'S PROPOSED NOTICE OF SETTLEMENT**

For the reasons set forth in the Memorandum of Law in Support of Plaintiff's Motion for Preliminary Approval of the Class Action Settlement, Conditional Certification of the Settlement Class, Appointment of Plaintiff's Counsel as Class Counsel, and Approval of Plaintiff's Proposed Notice of Settlement ("Motion for Preliminary Approval"), and the Declaration of C.K. Lee in Support of Plaintiff's Motion for Preliminary Approval ("Lee Declaration"), Plaintiff respectfully requests that the Court enter an Order:

(1) granting preliminary approval of the Settlement Agreement and Release ("Settlement Agreement"), Decl. of C.K. Lee ("Lee Decl.") Ex. A;

- (2) certifying the proposed class for settlement purposes;
- (3) appointing Lee Litigation Group, PLLC (“Lee Litigation Group”) (“Plaintiff’s Counsel”) as Class Counsel;
- (4) approving the proposed Notice of Proposed Settlement of Class Action Lawsuit and Fairness Hearing, Lee Decl. Ex. B;
- (5) appointing Advanced Litigation Strategies, LLC as Settlement Administrator; and
- (6) granting such other, further, or different relief as the Court deems just and proper.

* * *

Plaintiff has contemporaneously submitted a Proposed Order, attached hereto as **Exhibit A**, for the Court’s convenience.

Dated: August 21, 2017
New York, New York

Respectfully submitted,

By: /s/ C.K. Lee
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Attorneys for Plaintiff and the Class